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By: Tony Harris  
(person actually depositing)

## Patent Application of: Nichols

Serial No. 09/868,708

Title: A System, Method and Article of Manufacture for a Goal Based System  
Utilizing a Time Based Model

☒ Response to Notification of Missing Requirements Under 35 USC 371  
☒ Copy of Combined Declaration and Power of Attorney filed in  
U.S. Application 09/219,079, signed by Mark S. Nichols on 12-16-98  
☒ Copy of Notification of Missing Requirements of 7-27-2001  
☒ Transmittal Form (in duplicate)  
☒ Certificate of Express Mailing  
☒ Return Postcard

Attorney Docket No. 05222.00167

Please type a plus sign (+) inside this box.

PTO/PCT Rec'd 04 SEP 2001

PTO/SB/21 (08-00)

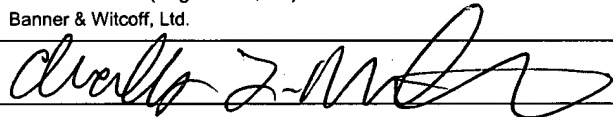
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#3

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		<b>Application Number</b>	09/868,708
		<b>Filing Date</b>	08 February 1999
		<b>First Name and Inventor</b>	Nichols
		<b>Group Art Unit</b>	
		<b>Examiner Name</b>	
<b>Total Number of Pages in This Submission</b>	8	<b>Attorney Docket Number</b>	05222.00167

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Response to Notification of Missing Requirement under 35USC371 Copy of Combined Declaration and Power of Attorney filed in US Application No. 09/219,079
<b>Remarks</b>		The Commissioner is authorized to charge all fees required to Deposit Account No. 01-0850.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
<b>Firm or Individual name</b>	Charles L. Miller (Reg. No. 43,805) Banner & Witcoff, Ltd.
<b>Signature</b>	
<b>Date</b>	September 4, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service, via Express Mail, in an envelope addressed to: BOX PCT - Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:	
<div style="border: 1px solid black; padding: 5px; display: inline-block;">September 4, 2001</div>	

<b>Typed or printed name</b>			
<b>Signature</b>		<b>Date</b>	September 4, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 05222.00167)

PTO/PCT Rec'd 04 SEP 2001

In the Application of:

Nichols

Serial No.: 09/868,708

Filed: February 8, 1999

For: A System, Method and Article of Manufacture for  
a Goal Based System Utilizing a Time Based Model

Examiner:

Paulette Kidwell

Attn: DO/EO/US

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371

BOX PCT

Assistant Commissioner For Patents  
Washington, D.C. 20231

Sir:

This is in response to the Notification of Missing Requirements Under 35 USC 271 mailed on July 27, 2001. In order to complete the filing requirements, Applicants enclose herewith copies of the Oath and Declarations executed in U.S. Patent Application No. 09/219,079, in pursuance with the provisions of MPEP 602.05(a). U.S. Patent Application No. 09/219,079 is the parent application and contains the same inventive entity. Also enclosed is a copy of said Notification of Missing Requirements.

The Commissioner is authorized to charge all fees required to Deposit Account No. 01-0850.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: September 4, 2001

By: 

Charles L. Miller  
Reg. No. 43,805



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/868708	LANNERT	05222.00167

CHARLES L. MILLER  
BANNER & WITCOFF  
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INTERNATIONAL APPLICATION NO.

PCT/US99/02715

I.A. FILING DATE	PRIORITY DATE
08 FEB 99	22 DEC 98

DATE MAILED

27 JUL 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.   |  |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |  |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**